

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO**

IN THE MATTER OF:

BRADLEY WILLIS
MELISSA WILLIS

Debtors

Case No. 19-41567

MOTION TO DETERMINE SECURED
STATUS
With
NOTICE OF MOTION

Now come the debtors, by and through counsel, who are making a request for valuation of security,

This is a Motion to Determine Secured Status pursuant to Rule 3012-1 of the Bankruptcy Rules.

Debtors have determined that the value of the collateral, to wit: 2009 Kia Sedona automobile, is \$4,000.00. The deficiency, to wit: \$6,123.33, will be treated as unsecured,

Section 1322 of the Bankruptcy Code (b)(2) allows the plan to modify the rights of holders of secured claims, other than real property which is the debtors' home.

Debtors have filed a plan, as amended, which modifies the rights of the holder of a secured claim, to wit: Prestige Financial, to the extent that the claim will be treated as secured to the extent of the value of the collateral, namely \$4,000.00, and will treat the deficiency of the claim, namely \$6,123.33 as unsecured. The unsecured portion of the claim will be subject to the dividend paid to all other unsecured creditors. The secured portion of the claim will be entitled to interest at the rate of 7.25% (the Till rate) pursuant to the plan.

If you do not want the Court to eliminate or change your claim, then on or before **February 2 2020**, you or your attorney must file with the Court a written Response/Answer to the Motion, explaining your position, at:

Clerk of Court
United States Bankruptcy Court
10 East Commerce Street

Youngstown, OH 44503

If you mail your Response to the Court for filing, you must mail it early enough so the Court will receive it before the date stated above.

You must also mail a copy to:

Michael A. Gallo
Chapter 13 Trustee
5048 Belmont Avenue
Youngstown, OH 44505

You must also mail a copy to debtor's attorney:

Peter Horvath
Attorney at Law
P.O. Box 501
Lisbon, OH 44432

If you file a written Response/Answer to the Motion, the matter will be scheduled for hearing . It will be scheduled to be held on February 20 2020 at 2:00 pm. It will be held in the United States Bankruptcy Court, 10 East Commerce Street, Youngstown, Ohio 44503.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an Order granting the relief requested.

By

/s/Peter Horvath
Attorney for debtors
Bradley & Melissa Willis
P.O. Box 501
Lisbon, OH 44432
330-420-0019

CERTIFICATE OF SERVICE

A copy of the Motion and Notice of Motion were electronically mailed this January 2, 2020 to the trustee Michael Gallo, 5048 Belmont Avenue, Youngstown, OH 44505.

and

mailed by ordinary U.S. Mail to

Sara Niemann
Bankruptcy Specialist
Prestige Financial
P.O. Box 26707
Salt Lake City, UT 84126

/s/ Peter Horvath